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9 *Attorneys for Defendant A. O. Smith Corporation*

10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 PROPERTY CASUALTY INSURANCE
 13 COMPANY OF HARTFORD,

14 Plaintiff,

15 vs.

16 A.O. SMITH CORPORATION, a Delaware
 17 corporation; and L.Y. Inc., doing business as
 18 Residential Service Center, a Nevada
 19 corporation, inclusive,

20 Defendants.

21 Case No.: 2:15-cv-01678-JAD-CWH

22 **STIPULATION AND ORDER
 23 REGARDING A. O. SMITH
 24 CORPORATION'S ATTORNEYS' FEES
 25 AND COSTS INCURRED IN
 26 CONNECTION WITH
 27 MOTION TO COMPEL**

28 WHEREAS, A.O. Smith Corporation (“A.O. Smith”) filed a motion to compel (ECF No. 49) (the “Motion to Compel”) on June 28, 2016 against Property Casualty Insurance Company of Hartford (“Hartford” and with A.O. Smith, the “Parties”) seeking the production of certain documents and information and sanctions in the form of its attorneys’ fees and costs associated with bringing the Motion to Compel;

WHEREAS, a hearing on A.O. Smith’s Motion to Compel took place on December 5, 2016;

WHEREAS, this Court entered a minute order (ECF No. 70) on December 5, 2016 (the “Minute Order”) granting the Motion to Compel, in part, and finding that, pursuant to Fed. R. Civ. P. 37, A.O. Smith was entitled to sanctions in the form of recovery of its attorneys’ fees and costs incurred in bringing the Motion to Compel, reply in support of the same and preparation for and appearance at the hearing on the same;

1 WHEREAS, the Court further ordered that the costs and fees shall be calculated at the
 2 hourly rate defense counsel charges A.O. Smith and that the parties shall meet and confer
 3 regarding the amount of fees and costs payable to A.O. Smith;

4 WHEREAS, pursuant to the Minute Order, the Parties conducted a meet and confer on
 5 December 14, 2016 and thereafter reached a compromise as to the amount of attorneys' fees and
 6 costs to be paid by Hartford in connection with the Motion to Compel;

7 WHEREAS, the undersigned counsel for A.O. Smith hereby represents that a total of
 8 \$7,156.25 has been billed and paid by A.O. Smith for the drafting of the Motion to Compel and
 9 reply in support of the same. The undersigned counsel further represents that an additional
 10 \$962.50 will be billed to A.O. Smith for preparation for and attendance at the hearing on the
 11 Motion to Compel;

12 NOW THEREFORE, the Parties, by and through their respective undersigned counsel,
 13 hereby stipulate and agree that the attorneys' fees and costs awarded to A.O. Smith shall be
 14 \$7,600.00, payable to counsel for A.O. Smith within 14 days of entry of this Order.

15 DATED this 20th day of December, 2016.

16 McDONALD CARANO WILSON LLP

17 By: /s/ Amanda M. Perach

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16 BAUMAN LOEWE WITT & MAXWELL

17 By: /s/ Kenneth W. Maxwell

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24 *Attorneys for Plaintiff Property Casualty*
 25 *Insurance Company of Hartford*

23 IT IS SO ORDERED:

24 _____
 25 UNITED STATES MAGISTRATE JUDGE

26 DATED: December 22, 2016

27 375524